

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of Treasure Transportation, LLC, which will do business as Treasure Transportation/Treasure Limo, for a Certificate of Public Convenience and Necessity to operate as on an on call, door-to-door, Passenger stage corporation between the San Diego International Airport and the City of San Diego and various points in the Counties of San Diego, Los Angeles, Orange and Riverside; and to establish a Zone of Rate Freedom.

Application 14-09-018
(Filed September 29, 2014)

D E C I S I O N G R A N T I N G A P P L I C A T I O N**Summary**

This decision grants the application of Treasure Transportation, LLC, a California Limited Liability Company, pursuant to Pub. Util. Code §§ 1031, et seq., for a Certificate of Public Convenience and Necessity to operate as a Passenger Stage Corporation, as defined in Pub. Util. Code § 226, and to establish a Zone of Rate Freedom, pursuant to Pub. Util. Code § 454.2.

Discussion

Treasure Transportation, LLC (Applicant), requests authority to operate as an on-call Passenger Stage Corporation (PSC) to transport passengers and their baggage between the San Diego International Airport and the City of San Diego and various points in the Counties of San Diego, Los Angeles, Orange and Riverside. According to Applicant, Airport expansion is continuing in San

Diego's immediate future, with increasing traffic congestion. This proposed service will encourage the public to ride share and reduce congestion on the highways. A California Environmental Quality Act review is not required because approval of the application will not have a significant adverse effect on the environment.

Applicant is currently licensed as a charter party carrier service (TCP-29468). Applicant's most recent balance sheet discloses assets of \$68,170.64, liabilities of \$2,890.32, and net worth of \$65,280.32.

Proposed fares range between \$29 and \$239, depending on distance. Applicant requests authority to establish a Zone of Rate Freedom (ZORF) of plus or minus \$10 for fares \$35 or less, and plus or minus \$15 for fares over \$35. The minimum fare will be \$19. Applicant will compete with other PSCs, taxicabs, charter limousines and sedans, public transit, and private automobiles in their service area. This highly competitive environment should result in Applicant pricing its services at a reasonable level. Many other PSCs have been granted ZORFs. The requested ZORF is generally consistent with the ZORFs held by other PSCs.

Notice of filing of the application appeared in the Commission's Daily Calendar on October 3, 2014. Applicant served notice of the application filing on the affected cities and counties and regional transportation agencies.

In Resolution ALJ 176-3344, dated October 16, 2014, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protest has been received. Given this status, public hearing is not necessary, and it is not necessary to alter the preliminary determinations made in Resolution ALJ 176-3344.

Safety Considerations

In order to be authorized to commence operations as a PSC, the Applicant must comply with the following requirements in order to protect public safety: Proof of insurance pursuant to General Order Series 101, compliance with the controlled substance and alcohol testing program pursuant to Pub. Util. Code §1032.1 and General Order Series 158, and enrollment in the pull notice system as required by Section 1808.1 of the Vehicle Code.

Assignment of Proceeding

Elizaveta Malashenko is the assigned Examiner in this proceeding.

Waiver of Comment Period

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

Findings of Fact

1. The application requests authority to operate as an on-call PSC to transport passengers and their baggage between the San Diego International Airport and the City of San Diego and various points in the Counties of San Diego, Los Angeles, Orange and Riverside.
2. Public convenience and necessity requires the proposed service.
3. Applicant requests authority to establish a ZORF of plus or minus \$10 for fares \$35 or less, and plus or minus \$15 for fares over \$35. The minimum fare will be \$19.
4. Applicant will compete with other PSCs, taxicabs, charter limousines and sedans, public transit, and private automobiles in their operations.
5. No protest to the application has been filed.

6. A public hearing is not necessary.

Conclusions of Law

1. Public convenience and necessity has been demonstrated and the application should be granted.
2. The request for a ZORF should be granted because the ZORF is fair and reasonable.
3. A California Environmental Quality Act review is not required for this decision because it can be seen with certainty that there is no possibility that the activity in question may have a significant adverse effect on the environment.
4. Before Applicant changes any fares under the ZORF authorized below, Applicant should be required to give this Commission at least ten days' notice. The tariff should show the high and low ends of the ZORF and the then currently effective fare between each pair of service points.
5. Because the matter is uncontested, the decision should be effective on the date it is signed.

O R D E R

IT IS ORDERED that:

1. A Certificate of Public Convenience and Necessity is granted to Treasure Transportation, LLC a California Limited Liability Company, authorizing it to operate as a Passenger Stage Corporation (PSC), as defined in Pub. Util. Code § 226, to transport passengers and their baggage between the points and over the routes set forth in Appendix PSC-29468, subject to the conditions contained in the following Ordering Paragraphs.
2. Treasure Transportation, LLC shall:

- a. File a written acceptance of this certificate within 30 days after this decision is effective.
 - b. Establish the authorized service and file tariffs and timetables within 120 days after this decision is effective.
 - c. File tariffs on or after the effective date of this decision. The tariff shall become effective ten days or more after the effective date of this decision, provided that the Commission and the public are given not less than ten days' notice.
 - d. Comply with Commission General Orders Series 101 and 158, and the California Highway Patrol (CHP) safety rules.
 - e. Comply with the Commission's controlled substance and alcohol testing certification program pursuant to Pub. Util. Code § 1032.1 and Commission General Order Series 158.
 - f. Remit to the Commission the Transportation Reimbursement Fee required by Pub. Util. Code § 423 when notified by mail to do so. Failure to comply with this filing will result in suspension and/or revocation of authority.
 - g. Comply with Pub. Util. Code §§ 460.7 and 1043, relating to the Workers' Compensation laws of this state.
 - f. Enroll all drivers in the Pull Notice System as required by Vehicle Code § 1808.1.
3. Treasure Transportation, LLC is authorized under Pub. Util. Code § 454.2 to establish a Zone of Rate Freedom of plus or minus \$10 for fares \$35 or less, and plus or minus \$15 for fares over \$35. The minimum fare will be \$19.
4. Treasure Transportation, LLC shall file a Zone of Rate Freedom (ZORF) tariff with the Commission and the public in accordance with the application at least ten days before the effective date of the tariff. The ZORF shall expire unless exercised within 120 days after the effective date of this decision.
5. Treasure Transportation, LLC may make changes within the Zone of Rate Freedom by filing amended tariffs on not less than ten days' notice to the

Commission and to the public. The tariff shall include the authorized maximum and minimum fares and the fare to be charged between each pair of service points.

6. Treasure Transportation, LLC shall post notices explaining fare changes at all locations (online and on printed material) where their fares are posted. The notices shall be the same font type and font size as those used for the fares. Such notices shall be posted at least ten days before the effective date of the fare changes and shall remain posted for at least 30 days.

7. Treasure Transportation, LLC (Applicant) is authorized to begin operations on the date that the Commission's Safety and Enforcement Division mails a notice to Applicant that its evidence of insurance and other documents required by Ordering Paragraph No. 2 have been filed with the Commission and that the California Highway Patrol has approved the use of Applicant's vehicles for service.

8. The Certificate of Public Convenience and Necessity to operate as Passenger Stage Corporation-29468, granted herein, expires unless exercised within 120 days after the effective date of this decision.

9. The Application is granted as set forth above.

10. Application 14-09-018 is closed.

This decision is effective today.

Dated _____, at San Francisco, California.

CERTIFICATE

OF

PUBLIC CONVENIENCE AND NECESSITY

AS A PASSENGER STAGE CORPORATION

PSC-29468

Showing passenger stage operative rights, restrictions,
limitations, exceptions, and privileges.

All changes and amendments as authorized by
the Public Utilities Commission of the State of California
will be made as revised pages or added original pages.

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SECTION I. GENERAL AUTHORIZATIONS, RESTRICTIONS,
LIMITATIONS, AND SPECIFICATIONS.

Treasure Transportation, LLC, a California Limited Liability Company, by the certificate of public convenience and necessity granted by the decision noted in the foot of the margin, are authorized to transport passengers and their baggage on an "on-call" basis between the points described in Section II, over the routes described in Section III, subject, however, to the authority of this Commission to change or modify this authority at any time and subject to the following provisions:

- A. When a route description is given in one direction, it applies to operation in either direction unless otherwise indicated.
- B. The term "on-call," as used, refers to service which is authorized to be rendered dependent on the demands of passengers. The tariffs shall show the conditions under which each authorized on-call service will be provided, and shall include the description of the boundary of each fare zone, except when a single fare is charged to all points within a single incorporated city.
- C. No passengers shall be transported except those having a point of origin or destination as described in Section IIB.
- D. This certificate does not authorize the holder to conduct any operation on the property of any airport unless such operation is authorized by the airport authority involved.

SECTION II. SERVICE AREA.

- A. Between San Diego International Airport and the City of San Diego, and points in the Counties of San Diego, Los Angeles, Orange, and Riverside.

SECTION III. ROUTE DESCRIPTIONS

Route 1 – San Diego to Los Angeles

Commencing from the home terminal 3940 Hancock St #208 S.D. CA to the San Diego International Airport located in the City of San Diego, then over the most convenient streets, expressways, and highways to the Counties of Los Angeles and Orange, with intermediate stops in the Cities of La Jolla, Del Mar, Carlsbad, Oceanside, Dana Point, San Clemente, Laguna Beach, Huntington Beach, Long Beach, The City of Orange, Anaheim and Los Angeles.

Route 2 – San Diego to Riverside

Commencing from the home terminal 3940 Hancock St #208 S.D. CA to the San Diego International Airport located in the City of San Diego, then over the most convenient streets, expressways, and highways to the County of Riverside, with intermediate stops in the Cities of Temecula, Murrieta, Hemet, Indio, Redlands and Riverside.

Route 3 – San Diego International Airport to the County of San Diego

Commencing from the home terminal 3940 Hancock St #208 S.D. CA to the San Diego International Airport to the Cities and Communities of San Diego County over the most convenient streets and highways with stops in the Communities of San Diego, Imperial Beach, Coronado, Point Loma, La Mesa, Mission Valley, North Park, Spring Valley, Lakeside, Santee, Poway, Jamul, Escondido Mira Mesa, Vista and San Marcos..